IN THE HIGH COURT OF BOMBAY AT GOA

TAX APPEAL NO. 23 OF 2006

AVERINA INTERNATIONAL RESORTS LTD., MARGAO, GOA. ....Appellant

Versus

ASST. COMMISSIONER OF INCOME TAX, MARGAO, GOA. ....Respondent

Mr. R. Srinivasan with Mr. Sudin M. S. Usgaonkar, Advocates for the Appellant.

Coram:- V.C.DAGA &
N. A. BRITTO, JJ.

Date:- 31st July, 2006

P.C.:

Heard learned counsel for the Appellant.

Perused appeal memo.

Learned counsel for the appellant submits that their representative did not concede the issue before the Tribunal; that issue was covered against appellant.

The learned counsel for the appellant, seeks permission to withdraw this appeal with liberty to move the Tribunal to seek deletion of the following observations made by the Tribunal. Observations read as under :-

" The learned authorized representative fairly conceded that the issue stood squarely covered against the assessee by the aforesaid decision of the Hon'ble Himachal Pradesh High Court cited supra."

In the above view of the matter appellant is permitted to withdraw the appeal with liberty to move for rectification.

In the result, appeal is dismissed as withdrawn with liberty reserved in favour of the appellant.

V.C.DAGA, J.

N. A. BRITTO, J.

sl.